

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

VANEZA RAMOS,

Plaintiff,

vs.

FARMERS INSURANCE (NWL) and  
MICHAEL POWERS,

Defendants.

4:20-CV-3148

ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation ([filing 45](#)) recommending that defendant Michael Powers' motion to dismiss ([filing 39](#)) be granted. There has been no objection to the findings and recommendation.

[28 U.S.C. § 636\(b\)\(1\)](#) provides for de novo review only when a party objected to the magistrate's findings or recommendations. *See Peretz v. United States*, 501 U.S. 923, 939 (1991). The failure to file an objection eliminates not only the need for de novo review, but *any* review by the Court. *Thomas v. Arn*, 474 U.S. 140, 149-51 (1985); *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th Cir. 2009), *see Daley v. Marriott Int'l, Inc.*, 415 F.3d 889, 893 (8th Cir. 2005). Accordingly, the Court will adopt the findings and recommendation.

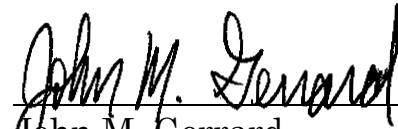
IT IS ORDERED:

1. The Magistrate Judge's findings and recommendation ([filing 45](#)) are adopted.

2. Defendant Michael Powers' motion to dismiss ([filing 39](#)) is granted.
3. Michael Powers is terminated as a party.
4. Filing 29 and [Filing 30](#) are stricken.
5. [Filing 1-1](#) is the plaintiff's operative pleading in this case.

Dated this 22nd day of February, 2022.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
United States District Judge